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PARTIES

3. Plaintiff ELIZABETH TAYLOR (hereinafter “Ms. Taylor” or “Plaintiff”) is a natural person residing in Kirkand, Washington. MICHAEL EVANS is the operator and believed to be the sole member of ASSET, CONSULTING EXPERTS, LLC, a debt collector, and responsible for the polices, procedures, and actions of the company, including those giving rise to Plaintiff’s causes of action as set forth herein. ASSET, CONSULTING EXPERTS, LLC is a New York limited liability company believed to maintain a principle place of business at 620 67th St. in Niagara Falls, NY. PREMIER PORTFOLIO GROUP is believed to be a fictitious business name used by MICHAEL EVANS. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as DOE 1-3, and therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to allege the true names and capacities once ascertained. Plaintiff believes and thereon alleges that the fictitiously named defendants may be responsible in some manner for the occurrences herein alleged, and that such defendants are responsible to Plaintiff for damages and/or monies owed. ASSET, CONSULTING EXPERTS, LLC, PREMIER PORTFOLIO GROUP, MICHAEL EVANS, and DOE 1-3 shall jointly be referred to as “Defendants”).

4. Defendants regularly operate as third-party debt collectors and are “debt collectors” as defined in 15 U.S.C. 1692a.

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FACTUAL ALLEGATIONS

5. Defendants engaged in an attempt to collect on a consumer debt allegedly owed by Ms. Taylor.

1 6. On February 14, 2017, Defendants left a voicemail message for Ms. Taylor, the
2 content of which is as follows:

3 “Elizabeth Taylor. We are contacting you today from Premier Portfolio Group
4 regarding documentation that’s in our office that we need a verbal statement on.
5 Please press zero to speak to a representative or call 800-918-3181.”
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7 7. On February 14, 2017, Defendants called Ms. Taylor’s place of employment and
8 spoke with her boss. Defendants’ stated that they were trying to contact Elizabeth Taylor
9 “because of a bad check that had been passed.”

10 8. On February 20, 2017, Defendants left a voicemail message for Ms. Taylor, the
11 content of which is as follows:

12 “Hello, this is Premier Portfolio Group. We’re contacting you today regarding a
13 bad check that was passed through our office with your name, social security
14 number, account number, and routing number attached. We need to speak to you
15 immediately regarding this. Please press one to be contacted to one of our helpful
16 associates or call the number on your caller-ID. Thank you.”
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19 9. On February 21, 2017, Defendants left a voicemail message for Ms. Taylor, the
20 content of which is as follows:

21 “Hello, this is Premier Portfolio Group. We’re contacting you today regarding a
22 bad check that was passed through our office with your name, social security
23 number, account number, and routing number attached. We need to speak to you
24 immediately regarding this. Please press one to be contacted to one of our helpful
25 associates or call the number on your caller-ID. Thank you.”
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1 10. At no point in time did Ms. Taylor authorize Defendants to communicate with her
2 boss or any other third party with respect to any alleged debt or other matter.

3 11. Defendants' claim that they were calling regarding a "bad check" is entirely false.
4 There was no "bad check" involved and no such check was passed through the office of
5 Defendants.

6 12. Concerned about Defendants' messages in which they failed to provide
7 meaningful disclosure of their identity, and their communications with her boss, Ms. Taylor
8 retained counsel with Centennial Law Offices.

9 13. On April 4, 2017, staff from Centennial Law Offices contacted Defendants by
10 telephone at (800)918-3181. Defendants identified themselves as Premier Portfolio Group and
11 confirmed that they were attempting to collect a consumer debt from Ms. Taylor.
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13 14. As a direct result of the collection activity herein alleged, legal fees in the amount
14 of \$2,355.00 have been incurred.
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18 **CAUSES OF ACTION**

19 **COUNT I**

20 15. Plaintiff re-alleges paragraphs 1 through 14, inclusive, and by this reference
21 incorporate the same as though fully set forth herein. Plaintiff is informed and believes and
22 herein alleges that Defendants, and each of them, violated 15 U.S.C. 1692d(6) by failing to
23 provide meaningful disclosure of their identity in their communications with Plaintiff,
24 specifically that the communications were from a debt collector and being made in an attempt to
25 collect a debt.
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COUNT II

16. Plaintiff re-alleges paragraphs 1 through 14, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants, and each of them, violated 15 U.S.C. 1692(e)11 by failing to disclose in their communications with Plaintiff that the communications were from a debt collector being made in an attempt to collect a debt.

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COUNT III

17. Plaintiff re-alleges paragraphs 1 through 14, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants violated 15 U.S.C. 1692c(b) by communicating in connection with the collection of a debt with persons other than Plaintiff, without the consent of Plaintiff.

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COUNT IV

18. Plaintiff re-alleges paragraphs 1 through 14, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants violated 15 U.S.C. 1692e, particularly 1692e(10) for making the false statement that they were calling regarding a “bad check that was passed through our office.”

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays judgment against Defendants for recovery as follows:

- 1.) For statutory damages in the amount of \$1,000 pursuant to 15 U.S.C. 1692k(2);

- 1 2.) For \$2,355.00 in legal costs incurred in responding to unlawful collection activity.
2 4.) For prejudgment interest in an amount to be proved at time of trial;
3 5.) For attorney's fees pursuant to 15 U.S.C. 1692(k)
4 6.) For the costs of this lawsuit; and
5 7.) For any other and further relief that the court considers proper.
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8 **JURY DEMAND**

9 Plaintiff demands a jury trial.
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11 Date: August 16, 2018
12

13 s/James A. Jones
14

15 JAMES A. JONES (Bar # 33115)
16 Attorney for Plaintiff ELIZABETH
17 TAYLOR
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